

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:00CR130
)	
v.)	
)	
URIEL CARRANZA,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's notice of appeal (Filing No. [472](#)) of the denial of his third successive motion filed pursuant to 28 U.S.C. § 2255. The defendant previously appealed denial of his original § 2255 motion, which had been denied by this Court, and the United States Court of Appeals for the Eighth Circuit affirmed this Court's holding.

This third successive motion is filed out of time, and after review of the history of this case, the Court finds it is not only filed out of time, but it is otherwise without merit. Further, the defendant has not paid the filing fee nor has he requested to proceed on appeal *in forma pauperis*. For these reasons, the Court will not issue a certificate of appealability. Accordingly,

IT IS ORDERED that no certificate of appealability will issue, and defendant will not be permitted to proceed on appeal *in forma pauperis*.

DATED this 2nd day of December, 2014.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court